IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

WP(C).No. 23302 of 2004(Y)

PETITIONER:

JANARDANAN PILLAI, S/O GOVINDA PILLAI,
AGED 60, PUTHENVEEDU,CHEMMANTHOOR PUNALUR P.O.,

BY ADV. SRI.S.SREEKUMAR

RESPONDENT:

SREEDHARAN PILLAI,
SRUTHI,T.C.NO.9/1818, SASTHAMANGALAM,
TRIVANDRUM.

BY ADV. SRI.M.BALAGOVINDAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No.23302 of 2004

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Dated: 16th August, 2007

JUDGMENT

Heard both sides. Since the suit itself is for fixation of boundary, I feel that the learned Munsiff should have a reconsideration of I.A.No.1518 of 2002. Therefore without going into the merits of the various grounds raised in the Writ Petition, I set aside Ext.P9 and direct the learned Munsiff to reconsider I.A.1518 of 2002. It will be open to both sides to urge the grounds raised by them before the learned Munsiff. Fresh decision will be taken by the learned Munsiff at the earliest and at any rate within one month of producing a copy of this judgment.

The Writ Petition is disposed of as above. No costs.

srd **PIUS C.KURIAKOSE, JUDGE**